

05-0-1650

AN ORDINANCE
BY: ZONING COMMITTEE

Z-04-92
Date Filed: 8-31-05

AN ORDINANCE CORRECTING ORDINANCE 04-O-1639, ADOPTED BY CITY COUNCIL MARCH 21, 2005, APPROVED BY THE MAYOR MARCH 25, 2005 REZONING PROPERTY LOCATED 2475 OLD HAPEVILLE ROAD, S.W (A.K.A. 120 PEGG ROAD AND 2475 PRYOR ROAD, S.W) FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO THE PD-H (PLANNED DEVELOPMENT-HOUSING) DISTRICT FOR THE PURPOSES OF INCLUDING THE CORRECT SITE PLAN.

WHEREAS, Z-04-92 was approved for rezoning from the R-4 (Single family Residential) district to the PD-H (Planned Development-Housing) District and adopted as amended by the City Council on March 21, 2005 and approved by the Mayor on March 25, 2005; and

WHEREAS, the final zoning ordinance did not include the correct map upon which the recommendations of the staff, Neighborhood Planning Unit, Zoning Review Board, Zoning Committee and City Council were based.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That Ordinance 04-O-1639 approved for rezoning from the R-4 (Single family Residential) district to the PD-H (Planned Development-Housing) District and adopted as amended by the City Council on March 21, 2005 and approved by the Mayor on March 25, 2005; be corrected to include the site plan titled 'Proposed Single Family Home Layout for Old Hapeville Station, dated November 8, 2004.

SECTION 2 ALL THAT TRACT or parcel of land lying and being in Land Lot 69, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 3 That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 5. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



BOUNDARY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 69 OF THE 14TH DISTRICT, IN FULTON COUNTY, GEORGIA, WITHIN THE CITY OF ATLANTA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF JUDY LANE (HAVING A 50' R/W) AND THE WEST RIGHT-OF-WAY OF OLD HAPEVILLE ROAD (HAVING A 40' R/W) GO THENCE NORTHEASTERLY ALONG THE RIGHT-OF-WAY OF OLD HAPEVILLE ROAD A DISTANCE OF 654.83' TO AN IRON PIN AND THE TRUE POINT OF BEGINNING; GO THENCE SOUTH 89°00'37" EAST A DISTANCE OF 1723.72' TO AN IRON PIN; GO THENCE SOUTH 89°00'37" EAST A DISTANCE OF 268.89' TO AN IRON PIN; GO THENCE NORTH 14°53'54" WEST A DISTANCE OF 220.53' TO AN IRON PIN; GO THENCE NORTH 20°39'12" WEST A DISTANCE OF 208.48' TO AN IRON PIN; GO THENCE NORTH 26°39'32" WEST A DISTANCE OF 209.95' TO AN IRON PIN; GO THENCE NORTH 29°15'10" WEST A DISTANCE OF 90.43' TO AN IRON PIN; GO THENCE SOUTH 89°06'51" EAST A DISTANCE OF 128.23' TO AN IRON PIN; GO THENCE NORTH 04°12'02" EAST A DISTANCE OF 47.35' TO AN IRON PIN; GO THENCE SOUTH 88°53'20" EAST A DISTANCE OF 732.73' TO AN IRON PIN; GO THENCE SOUTH 88°38'22" EAST A DISTANCE OF 562.32' TO AN IRON PIN; GO THENCE SOUTH 17°59'22" WEST A DISTANCE OF 419.80' TO AN IRON PIN; GO THENCE SOUTH 87°50'17" EAST A DISTANCE OF 1043.92' TO AN IRON PIN; GO THENCE SOUTH 55°37'23" WEST A DISTANCE OF 44.00' TO AN IRON PIN; GO THENCE SOUTH 33°08'55" WEST A DISTANCE OF 120.00' TO AN IRON PIN; GO THENCE SOUTH 62°59'07" EAST A DISTANCE OF 130.00' TO AN IRON PIN; GO THENCE SOUTH 41°58'57" WEST A DISTANCE OF 139.63' TO AN IRON PIN AND THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 26.53 ACRES AS SHOWN ON A PLAT OF SURVEY FOR DR. LOUIS P. GANGAROSA SR. PREPARED BY PAUL LEE CONSULTING ENGINEERING DATED 01/08/02 LAST REVISED 06/18/03.

7-04-92
August 10, 04